

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

IN RE: CEDAR FALLS MUNICIPAL COMMUNICATIONS UTILITY	DOCKET NOS. TCU-00-4 TF-00-21
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ORDER GRANTING APPLICATION AND APPROVING MAP

(Issued April 21, 2000)

On January 27, 2000, Cedar Falls Municipal Communications Utility (Cedar Falls) filed an application for issuance of a certificate of public convenience and necessity, pursuant to Iowa Code § 476.29 (1999), stating its intention to provide local exchange service to portions of the Cedar Falls and Hudson exchanges currently served by U S WEST Communications, Inc. (U S WEST). Cedar Falls served notice to all affected parties on January 27, 2000.

Cedar Falls filed its own map of the proposed service territory which deviates from the current U S WEST local exchange service area. Additional information was provided on March 28, 2000, to justify the deviations noted in Cedar Fall's proposed exchange boundary map. According to the March 28, 2000, filing, the boundary lines were drawn based upon a requirement that, as a municipal corporation, service must be provided to all areas within the boundaries of the city.

Cedar Falls is a Board of Trustees organized under Iowa Code Chapter 388 to operate a communications utility for the city of Cedar Falls and is a cable operator as

defined by federal law. Pursuant to Iowa Code § 476.29(13), "approval by the voters of a city pursuant to section 388.2 of a proposal to establish or acquire a public utility providing communications services is conclusive evidence of the fact that the city has the technical, financial, and managerial ability to provide such service." The city of Cedar Falls held a special election on October 4, 1999, and Cedar Falls has been authorized by vote of its people to establish a communication utility.

In its applications, Cedar Falls filed a statement of dialing parity indicating that it will offer intraLATA dialing parity through Iowa Network Services when it begins to provide service.

Iowa Code § 476.29(2) (1999) provides that the local exchange carrier shall not be denied a certificate if the Utilities Board (Board) finds that the applicant "possesses the technical, financial, and managerial ability to provide the service it proposes to render and the board finds the service is consistent with public interest." The Board has carefully reviewed Cedar Fall's application and finds Cedar Falls has demonstrated that it has the necessary technical, financial, and managerial ability to provide local exchange service. It is in the public interest to grant a certificate to Cedar Falls.

IT IS THEREFORE ORDERED:

1. The application for a certificate of public convenience and necessity, filed by Cedar Falls Municipal Communications Utility on January 27, 2000, as clarified by its March 28, 2000, filing, is granted, subject to the requirement that follows.

2. Upon approval of tariffs to reflect the prices, terms, and conditions of local exchange service offered by Cedar Falls Municipal Communications Utility, the Board will issue a certificate of public convenience and necessity allowing it to provide local exchange service in Iowa.

3. The map filed by Cedar Falls Municipal Communications Utility is approved.

UTILITIES BOARD

/s/ Allan T. Thoms

/s/ Susan J. Frye

ATTEST:

/s/ Raymond K. Vawter, Jr.
Executive Secretary

/s/ Diane Munns

Dated at Des Moines, Iowa, this 21st day of April, 2000.